



325116

REFERENCE: 60

EPA. Improving Site Assessment: Pre-CERCLIS Screening Assessment,
OWSER9375.2-11FS

October 1999. 5 pages

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Improving Site Assessment: Pre-CERCLIS Screening Assessments

Office of Emergency and Remedial Response
Site Assessment Team

Quick Reference Guidance Series

ABSTRACT

Pre-CERCLIS screening is a review of information on potential Superfund sites to determine whether the site should be entered into EPA's Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS). Pre-CERCLIS screening is an initial low-cost look at potential sites to ensure that uncontaminated sites or sites ineligible under CERCLA are not unnecessarily entered into CERCLIS for further Superfund-financed assessment activities. This guidance document establishes minimum requirements for conducting pre-CERCLIS screening assessments and supplements existing pre-CERCLIS screening guidance.

BACKGROUND

All sites brought to the Agency's attention should be screened before we enter them into CERCLIS (OERR Directive # 9200.4-05, *Pre-CERCLIS Screening Guidance*, September 30, 1996)¹. Pre-CERCLIS screening is the process of reviewing data on a potential site to determine whether it should be entered into CERCLIS for further evaluation. EPA is required to further assess risks to human health and the environment posed by sites entered into CERCLIS and to determine whether Federal response action (e.g., removal action, remedial action, oversight) is warranted. Pre-CERCLIS screening minimizes the number of sites unnecessarily entered into CERCLIS by providing a cost efficient mechanism for screening sites.

The pre-CERCLIS screening process begins when you are informed of a new site by a phone call or referral from State, Tribal or other Federal agency staff. The designated site investigator (regional, State, or Tribal staff or contractor) will complete the attached *Pre-CERCLIS Screening Assessment Checklist/Decision Form* (Attachment A), or equivalent documentation, to provide site information on deciding whether entry of the site into CERCLIS is warranted. If equivalent documentation is used, it must address the information requested in Attachment A. Only enter sites that

require further Superfund assessment/response into CERCLIS. Information about sites deemed inappropriate for CERCLIS entry should be maintained for possible future reference and retrieval to avoid duplication of effort.

WHY USE PRE-CERCLIS SCREENING?

Pre-CERCLIS screening prevents unnecessary entry of sites into CERCLIS (e.g., uncontaminated sites, sites ineligible under CERCLA, or sites not requiring Federal Superfund response actions). Federal Agencies and States conducting CERCLA site assessments should consult with the EPA Regional Office prior to initiating Pre-CERCLIS screening to ensure that sufficient data will be collected to make an appropriate decision about the site.

HOW WILL PRE-CERCLIS SCREENING BE IMPLEMENTED?

The standard procedures for implementing pre-CERCLIS screening activities are presented below.

Who Will Fund Pre-CERCLIS Activities?

EPA Headquarters provides funding to EPA Regions for Superfund site assessment activities through an Advice of Allowance (AOA) as described in the Superfund Program Implementation Manual. These funds may be used to conduct pre-CERCLIS screening work; however, Regions need to balance the amount of funds used for pre-CERCLIS screenings with funding needs for other site assessment activities.

You may implement pre-CERCLIS screening activities through three primary mechanisms:

- (1) Funding States and Tribes through site or multi-site assessment cooperative agreements;
- (2) Funding Federal contractors (e.g., through START contracts); and
- (3) Using EPA regional staff.

EPA regions should specify pre-CERCLIS screening activities in the statements of work associated with site/multi-site assessment cooperative agreements and with Federal contract work assignments as appropriate.

What Are Regional Staff Responsibilities?

Regional site assessment staff are responsible for reviewing screening reports for completeness and for ensuring that appropriate sites are entered into CERCLIS. A completed *Pre-CERCLIS Screening Assessment Checklist/Decision Form* (see Attachment A) or equivalent documentation as referenced above can serve as a final report for a site. The decision to enter or not enter a site into CERCLIS should be based on current information. If new information becomes available on a site that was not entered, you may reconsider the decision.

Site investigators should collect enough data to complete the *Pre-CERCLIS Screening Assessment Checklist/Decision Form* (see Attachment A). From the time of initial notification of a potential site, the site investigator should review the information to evaluate the need for additional assessment and entry into CERCLIS. See specific information requirements identified in the checklist. If more site information is available, the site investigator should examine the information at this time. The information collection/screening process is normally limited to one or two days. If the site is placed in CERCLIS, EPA will use the gathered information in the next step of the site evaluation (e.g., Preliminary Assessment (PA)², Abbreviated Preliminary Assessment (APA)³, or Combined PA/SI⁴).

What Are The Screening Criteria?

To make a CERCLIS entry decision, site investigators need to gather enough data to address the screening criteria below.

These criteria are primarily based on OERR Directive # 9200.4-05.

A site should not be entered into CERCLIS if:

- The site is currently in CERCLIS, or has been removed from CERCLIS and no new data warrant CERCLIS entry. Determine whether the site has previously been evaluated under the Federal Superfund Program to avoid entering a duplicate site record into CERCLIS. Check CERCLIS and archive data for previous entries of a site using site name, location, and site identification number data.

Note: Sites already in CERCLIS with no work started may warrant CERCLIS screening as part of an APA. (See the guidance document titled, *Improving Site Assessment: Abbreviated Preliminary Assessments*³ for more information on conducting APAs.)

- The site and some contaminants are subject to certain limitations based on definitions in CERCLA. This includes cases where the release is:
 - (1) Of a naturally occurring substance in its unaltered form, or altered solely through naturally occurring processes or phenomena, from a location where it is naturally found;
 - (2) From products that are part of the structure of, and result in exposure within, residential buildings or business or community structures; or
 - (3) Into public or private drinking water supplies due to deterioration of the system through ordinary use.
- A State or Tribal remediation program is involved in response at a site that is in the process of a final clean-up (e.g., a State Superfund program, State voluntary clean-up program, and State or local Brownfields programs).

During the screening process, a file search of other Agency programs eliminates sites where other programs are actively involved. Based on the search of the geographical location of the site and the site name, conduct the search using current databases or telephone calls to staff of other potentially involved programs. You, in consultation with State and Tribal program representatives, are responsible for determining whether another program is actively involved with the site.

When another program with sufficient investigation, enforcement, and remediation resources is actively

involved with a site, postpone a decision on CERCLIS entry until all actions have been completed. EPA is responsible for determining if the actions are sufficient and will then determine whether any further Superfund involvement is warranted.

- The hazardous substance release at the site is regulated under a statutory exclusion (e.g., petroleum, natural gas, natural gas liquids, synthetic gas usable for fuel, normal application of fertilizer, release located in a workplace, naturally occurring, or covered by the Nuclear Regulatory Commission (NRC), and Uranium Mill Tailings Radiation Control Act (UMTRCA), see CERCLA Section 101(22).

If entry into CERCLIS is not warranted due to statutory exclusion, the site data should be sent to the appropriate Federal and State/Tribal program for possible future follow-up. You should confirm notification of sites referred to other programs.

- The hazardous substance release at the site is deferred by policy considerations (e.g., RCRA Corrective Action). Refer to the *Regional QC Guidance for NPL Candidate Sites*⁵ for more examples.

The site investigator should, at a minimum, search other current EPA data sets using site identification data (name and location) to determine whether the site is already being addressed by other authorities.

The NPL/RCRA deferral policy states that sites should not be placed on the NPL if they can be addressed under RCRA Subtitle C corrective action authorities. However, according to the NPL/RCRA policies published June 10, 1986 (51 FR 21057), June 24, 1988 (53 FR 23978), and October 4, 1989 (54 FR 41000), facilities that are subject to RCRA Subtitle C may be listed on the NPL when corrective action is unlikely to succeed or occur promptly, as in the following situations: (1) inability to finance, (2) unwillingness/loss of authorization to operate, (3) unwillingness/case-by-case determination, (4) converters, non- or late filers, (5) pre-HSWA (Hazardous and Solid Waste Amendments) permittees, and (6) when not all of the release from the facility is covered by RCRA corrective action.

- Site data are insufficient to determine CERCLIS entry (i.e., based on potentially unreliable sources or with no information to support the presence of hazardous substances or CERCLA-eligible pollutants and contaminants).

If you are presented with incomplete pre-CERCLIS screening information or with what appears to be unreliable data for a site, you should identify the data deficiencies and forward these data needs to the site investigator for further data collection. Refer to the attached pre-CERCLIS screening checklist for minimum required site information. When it is not feasible to obtain all the information to complete the checklist, use professional judgement when deciding to place a site in CERCLIS.

- There is sufficient documentation that clearly demonstrates that there is no potential for a release that could cause adverse environmental or human health impacts (e.g., comprehensive remedial investigation equivalent data showing no release above applicable or relevant and appropriate requirements (ARARs), completed removal action of all sources and releases, documentation showing that no hazardous substance releases have occurred, or a completed EPA approved risk assessment showing no risk).

You should communicate CERCLIS site entry decisions to States and Tribes on a regular basis.

Does Pre-CERCLIS Screening Apply To Citizen-Petitioned Sites?

Citizen-petitioned sites are eligible for pre-CERCLIS screening assessments and must meet the same criteria. According to Section 105(d) of CERCLA, EPA must perform a PA or provide an explanation for why the PA was not appropriate within 12 months of receiving the petition. The *Pre-CERCLIS Screening Assessment Checklist/Decision Form* (see Attachment A) or equivalent documentation may be used to support the decision to enter the site into CERCLIS and perform a PA or to explain to the petitioner why a PA is not appropriate.

How Will Information be Managed?

See the Superfund Program Implementation Manual for procedures on managing pre-CERCLIS screening information in the Superfund data system.

REFERENCES

1. U.S. Environmental Protection Agency, September 1996. *Pre-CERCLIS Screening Guidance*. Office of Solid Waste and Emergency Response. Directive # 9200.4-05.
2. U.S. Environmental Protection Agency, September 1991. *Guidance for Performing Preliminary Assessments Under CERCLA*. Office of Solid Waste and Emergency Response. Publication 9345.0-01A.

3. U.S. Environmental Protection Agency, October 1999. Quick Reference Guidance Series - *Improving Site Assessment: Abbreviated Preliminary Assessments*. Publication OSWER 9375.2-09FS.
4. U.S. Environmental Protection Agency, October 1999. Quick Reference Guidance Series - *Improving Site Assessment: Combined PA/SI Assessments*. Publication OSWER 9375.2-10FS.
5. U.S. Environmental Protection Agency, December 1991. *Regional Quality Control Guidance for NPL Candidate Sites*. Office of Solid Waste and Emergency Response. Publication 9345.1-08.

FOR MORE INFORMATION

For more information on pre-CERCLIS screening activities, please contact Randy Hippen at EPA Headquarters, phone (703) 603-8829 or e-mail at hippen.randy@epa.gov.